

REMARKS

Claims 14-30 are now pending in the application. By this Paper, Claims 1-13 have been cancelled without prejudice or disclaimer of the subject matter contained therein and Claims 14-30 have been added. The basis for these new claims can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1 and 5-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by VanOrder et al. (U.S. Patent No. 5,887,485).

This rejection is respectfully traversed.

Applicants respectfully submit that this rejection is moot as Claims 1-13 have been cancelled without prejudice. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 2-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over by VanOrder et al. (U.S. Patent No. 5,887,485) in view of Official Notice.

Claims 4, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over VanOrder et al. (U.S. Patent No. 5,887,485) in view of Knox, Jr. (U.S.

Patent No. 4,077,276).

These rejections are respectfully traversed.

Applicants respectfully submit that this rejection is moot as Claims 1-13 have been cancelled without prejudice. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

NEW CLAIMS

New Claims 14-30 are added for consideration. The Examiner in rejecting now-cancelled Claims 1-13 relied on VanOrder et al. (U.S. Patent No. 5,887,485). VanOrder fails to teach a sled having an opening for receiving a shift lever assembly or a sled having an opening for receiving a brake lever assembly. Rather, VanOrder teaches a floor console assembly (1) including a housing (2) having a slot (5) that receives a handle (6) of a parking brake assembly and an opening (8) that receives part of a shift assembly (20). See VanOrder at Col. 3, Ins. 36-44 and FIG. 1. The housing is mounted to a base (55), which is mounted on a floor pan of a vehicle and supports the parking brake handle and shift assembly generally between the base and the housing. See VanOrder at Col. 3, Ins. 59-65 and FIG. 3.

VanOrder fails to teach even a single opening in a sled, which the Examiner identifies as the base (55), for receiving either a brake assembly or a shift assembly. The only openings taught by VanOrder are disposed in the console, which the Examiner identifies as the housing (2). Furthermore, VanOrder fails to teach positioning a gear shift assembly, a transfer case shift assembly, or a brake lever assembly on a sled mounted to a floor pan of a vehicle such that an operating cable of the gear shift

assembly, transfer case shift assembly, or brake lever assembly are attached to an operating cable of the vehicle between a bottom surface of the sled and a top surface of the vehicle floor pan.

In contrast, the present invention teaches a sled system for mounting a shift assembly to a vehicle floor pan including a sled having openings for receiving a gear shift assembly, a transfer case shift assembly, and a brake lever assembly such that operating cables of the gear shift assembly, transfer case shift assembly, and brake lever assembly are attached to respective operating cables of the vehicle between a bottom surface of the sled and a top surface of the vehicle floor pan. In addition, the present invention teaches using a plurality of fasteners to mount the shift lever assembly, transfer case shift assembly, and brake lever assembly to the sled and mounting a console to the sled. VanOrder fails to teach such a relationship.

Because VanOrder fails to teach a sled having respective openings for receiving shift lever assembly, transfer case shift assembly, and brake lever assembly, and further, because VanOrder fails to teach positioning a gear shift assembly, a transfer case shift assembly, or a brake lever assembly on a sled mounted to a floor pan of a vehicle such that an operating cable of the gear shift assembly, transfer case shift assembly, and brake lever assembly are attached to an operating cable of the vehicle between a bottom surface of the sled and a top surface of the vehicle floor pan, Applicants respectfully submit that VanOrder fails to teach each and every element of the present invention. Accordingly, Applicants respectfully submit that independent Claims 14 and 24, as well as Claims 15-23 and 25-30, respectively dependent therefrom, are in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Final Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 944-6526.

Respectfully submitted,

Dated: 12 / 13 / 05

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